

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0143-01  
Bill No.: SB 151  
Subject: Business and Commerce; Economic Development; Taxation and Revenue.  
Type: Original  
Date: January 6, 2003

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
General Revenue	(\$27,588 to Unknown)	(32,783 to Unknown)	(\$33,766 to Unknown)
<b>Total Estimated Net Effect on General Revenue Fund *</b>	<b>(\$27,588 to Unknown)</b>	<b>(\$32,783 to Unknown)</b>	<b>(\$33,766 to Unknown)</b>

\* Losses could exceed \$100,000 in a given fiscal year.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
School District Trust Fund	(Unknown)	(Unknown)	(Unknown)
<b>Total Estimated Net Effect on Other State Funds*</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

\* Losses could exceed \$100,000 in a given fiscal year.

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

### FISCAL ANALYSIS

#### ASSUMPTION

Officials from the **Department of Revenue (DOR)** state this legislation authorizes a two-year tax free zone in Kansas City, city limits from January 1, 2004 to January 1, 2006. Businesses in the city limits of Kansas City will need to be notified of the start and expiration of the exemption.

DOR states their MITS section will need to create and maintain a “shape” file to outline the boundaries of the tax free zone. The MITS programming will require 692 hours of programming at a total cost of \$23,085. The State Data Center costs to implement the proposed legislation will be \$4,503.

Officials from the **Department of Economic Development (DED)** state they would be provided the proposed boundaries of the area(s) to be designated as a tax free zone(s) in Kansas City and DED would designate the tax free zone. Sales made by businesses in the zone on or after Jan. 1, 2004 and before Jan. 1, 2006 will be sales tax exempt. DED is to assess the economic impact and report to the Governor and the General Assembly in year 2005 and 2006.

ASSUMPTION (continued)

DED states that only administrative fiscal impact can be projected. The cost of \$32,783 in FY 2005 and \$33,766 in FY 2006 is for a consultant to assess the economic impact of the change in the law. The consultant would be used once per year to prepare the report for the governor and general assembly.

Officials from the **City of Kansas City (CKC)** did not respond to our request for fiscal impact. However, in response to similar legislation from a previous year, CKC officials stated the proposed legislation will accomplish three distinct items:

1. Creates an economically depressed tax-free zone pilot project
2. All retail purchases made at any commercial establishment located within the boundaries of the economically depressed tax-free zone, where such purchases are made will be tax exempt.
3. The director of the Department of Economic Development shall report to the governor and to the general assembly during the regular session of the general assembly on the economic impact to the depressed tax-free zone, which can be attributed to the sales tax exemption.

Officials from CKC assumed this proposal may reduce revenue collection for the City's portion of the sales tax.

Officials from the **Office of Administration - Budget and Planning** did not respond to our request for fiscal impact.

**Oversight** assumes there would be an unknown loss of revenue to the General Revenue Fund from the loss of sales tax revenue as well as the loss of sales tax collection fees from the local sales tax exempted in this provision. Oversight also assumes there would be a loss in sales tax revenue to the state's School District Trust Fund, since its 1 percent sales tax is included in section 144.701, which would be exempted with this proposal.

**This proposal would result in a decrease in Total State Revenues.**

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
<b>GENERAL REVENUE FUND</b>			
<u>Costs</u> - Department of Revenue Programming Costs	(\$27,588)	\$0	\$0
<u>Costs</u> - Dept. of Economic Development Consultant Costs	\$0	(\$32,783)	(\$33,766)
<u>Loss</u> - Sales tax revenue from the creation of tax-free pilot project	(Unknown)	(Unknown)	(Unknown)
<u>Loss</u> - Collection fee revenue from local sales taxes exempted by the creation          of tax-free pilot project	(Unknown)	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND *</b>	<b>(\$27,588 to <u>Unknown</u>)</b>	<b>(\$32,783 to <u>Unknown</u>)</b>	<b>(\$33,766 to <u>Unknown</u>)</b>

\* Losses could exceed \$100,000 in a given fiscal year.

**SCHOOL DISTRICT TRUST FUND**

<u>Loss</u> - Sales tax revenue from the creation of tax-free pilot project	(Unknown)	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT TO THE SCHOOL DISTRICT TRUST FUND</b>	<b>(<u>Unknown</u>)</b>	<b>(<u>Unknown</u>)</b>	<b>(<u>Unknown</u>)</b>

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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## **LOCAL GOVERNMENTS**

<u>Loss</u> - Sales tax revenue from the creation of tax-free pilot project	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
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### FISCAL IMPACT - Small Business

Small businesses would be expected to be fiscally impacted to the extent there would be less administrative reporting of sales and use tax and increased business from consumers wishing to benefit from the tax free zone. Small businesses just outside of the tax-free zone could be negatively impacted if consumers chose to shop at other stores that are within the zone.

### DESCRIPTION

This proposal creates a pilot project which will require the Director of the Department of Economic Development to designate a tax free zone within a portion of Kansas City. The area to be designated shall be within a distressed community as defined by law. The city shall identify qualified areas and shall recommend one such area for designation as the economically depressed tax free zone. All retail purchases made during the years 2004 through 2005 within the economically depressed tax-free zone will be exempt from certain state and local sales tax.

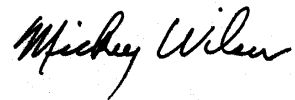
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

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Department of Revenue  
Department of Economic Development

**NOT RESPONDING:**      **Office of Administration - Division of Budget and Planning  
City of Kansas City**

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Director  
January 6, 2003